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August 6, 2014

VIA ECF

Hon. Vernon S. Broderick, U.S.D.J.
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, NY 10007

Re: *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig.*, MDL No. 2542

Dear Judge Broderick:

Plaintiff JBR, Inc. d/b/a Rogers Family Company (“Rogers”) respectfully requests a telephonic hearing tomorrow morning, August 7, 2014, regarding the issues raised in Defendant Keurig Green Mountain, Inc.’s (“Keurig”) letter filed August 6, 2014 (Dkt. No. 73) and the Court’s Order endorsed on Keurig’s letter (Dkt. No. 76). Rogers is scheduled to take Keurig’s 30(b)(6) deposition tomorrow morning at 9:30 am, so a brief telephonic hearing at 9:00 a.m. EDT, or as soon as is convenient for the Court, would be ideal. Rogers will file a response to Keurig’s letter this evening, so that the Court is aware of the facts before the hearing.

Rogers and Plaintiff Treehouse Foods, Inc. (collectively, “Plaintiffs”) have spent considerable time and money preparing for the depositions, including travel to Boston from California and New York. If the order stands, it will necessarily result in the depositions having to be retaken and Plaintiffs’ clients will incur additional costs and expenses.

Accordingly, Rogers requests a telephone conference tomorrow morning at 9 a.m., or as soon thereafter as the Court wishes, to address this matter. We will file our opposition letter tonight which will address each of the assertions made in Keurig’s letter.

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Sincerely,

s/ Daniel Johnson, Jr.

Daniel Johnson, Jr.

DJ/mj

c: (Via ECF) Counsel of Record